1   HOUSE BILL NO. 89

2   INTRODUCED BY D. FUCHS

3

4   A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA

5   AN AMENDMENT TO ARTICLE IV OF THE MONTANA CONSTITUTION TO IMPOSE TERM LIMITS ON

6   STATE SUPREME COURT JUSTICES; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY

7   DATE."

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9   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11   NEW SECTION. **Section 1.** Article IV of The Constitution of the State of Montana is amended by

12   adding a new section 9 that reads:

13   **Section 9. Term limits for supreme court.** (1) A person may not serve more than two consecutive

14   terms as a supreme court justice.

15   (2) Except for write-in candidates, a candidate shall not file for nomination or election to a term

16   of judicial office that exceeds the limits set in subsection (1).

17   (3) Nothing contained in this section precludes an otherwise qualified candidate from being

18   certified as nominated or elected by virtue of write-in votes cast for the candidate.

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20   NEW SECTION. **Section 2. Submission to electorate.** This amendment shall be submitted to the

21   qualified electors of Montana at the general election to be held in November 2002 by printing on the ballot

22   the full title of this act and the following:

23   []   FOR imposing term limits on state supreme court justices.

24   []   AGAINST imposing term limits on state supreme court justices.

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26   NEW SECTION. **Section 3. Effective date -- applicability.** If approved by the electorate, this

27   amendment is effective January 1, 2003, and applies to elections occurring during or after 2004. For

28   purposes of calculating years of service for judicial term limits, the amendment does not apply to time

29   served prior to January 1, 2003, and those years of service may not be included in a judicial term limits

30   computation.

31   - END -